

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION – CINCINNATI

UNITED STATES OF AMERICA,	:	Case No. 1:21-cv-74(6)
	:	
Plaintiff,	:	Judge Matthew W. McFarland
	:	
v.	:	
	:	
CHAZTON HARRIS,	:	
	:	
Defendant.	:	
	:	
	:	

ORDER CONDITIONALLY GRANTING DEFENDANT’S MOTION TO FILE
UNDER SEAL (Doc. 85)

This matter is before the Court on Defendant Chazton Harris Motion to File Under Seal (Doc. 85). Defendant seeks leave from the Court to file documentation that would allegedly support Defendant’s Motion to Suppress (Doc. 84). For the forgoing reasons, the Court **CONDITIONALLY GRANTS** Defendant’s Motion to file Under Seal (Doc. 85).

Federal courts have long recognized a strong presumption in favor of openness which can only be overcome by “the most compelling reasons.” *Shane Grp., Inc. v. Blue Cross Blue Shield of Michigan*, 825 F.3d 299, 305 (6th Cir. 2016) (citing *In re Knoxville News-Sentinel Co.*, 723 F.2d 470, 476 (6th Cir. 1983)). Accordingly, “[t]he burden of overcoming that presumption is borne by the party that seeks to seal them.” *Brown & Williamson Tobacco Corp. v. F.T.C.*, 710 F.2d 1165, 1180 (6th Cir. 1983). “To meet this burden, the party must show three things: (1) a compelling interest in sealing the records; (2) that the

interest in sealing outweighs the public's interest in accessing the records; and (3) that the request is narrowly tailored." *Kondash v. Kia Motors Am., Inc.*, 767 F. App'x 635, 637 (6th Cir. 2019). To do so, the party must "analyze in detail, document by document, the propriety of secrecy, providing reasons and legal citations." *Id.* (citing *Shane Grp.*, 825 F.3d at 305).

Defendant fails to address any of the factors this Court must consider when adjudication a motion to seal as required by Sixth Circuit precedent. However, considering the procedural posture of the case, Defendant's Motion to File Under Seal (Doc. 85) is **CONDITIONALLY GRANTED**. The Court **ORDERS** Defendant to file the exhibits to the Motion to Suppress (Doc. 84) and an Amended Motion to Seal which comports with the *Shane Group* requirements and Sixth Circuit precedent within fourteen (14) days of this Order. If Defendant fail to file the exhibits and an Amended Motion to Seal within fourteen days, the Court shall reconsider this Order.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

By: 
JUDGE MATTHEW W. McFARLAND